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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/622,245	08/15/2000	Dominique Hamery	1134	9683
22511	7590	07/06/2004	EXAMINER	
OSHA & MAY L.L.P. 1221 MCKINNEY STREET HOUSTON, TX 77010			LEE, Y YOUNG	
			ART UNIT	PAPER NUMBER
			2613	
DATE MAILED: 07/06/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/622,245	HAMERY ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Y. Lee	2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 16 March 2004.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-12 and 16 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-12 and 16 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 15 August 2000 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some \* c)  None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a))

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_ .  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/16/04 has been entered.

### ***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

3. The drawings are objected to because all diagrammatic blocks and features (e.g. elements 43-47 and 50-52) in Figures 3 and 4 are required to be distinctly labeled to indicate contents or function with legends (37 C.F.R. 1.83(a), 1.84(o)) because they are necessary for understanding of the drawing. Correction is required.

### ***Specification***

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### ***Arrangement of the Specification***

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-12 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Mills (6,311,204) for the same reasons as set forth in Section 2 of the previous office action, paper number 7, dated 3/26/03.

[claim 1]

A decoder for a digital audiovisual transmission system (Fig. 1), the decoder comprising a processor 20 for decompressing and displaying compressed digital picture data 52 and a memory (DRAM 40), characterized in that the processor is adapted to decompress and store an image file in its substantially original format and subsequently to convert the image file to at least a second format for storage and display 60 based on a capacity of the memory 40 and an operation of the processor, the first and second format versions of the image file being stored contemporaneously in the memory. For details, see col. 8, line 33+, col. 9, lines 17+, col. 12, lines 27+, and col. 13, lines 55+.

[Claim 2]

A decoder...in which the processor is adapted to convert the image file into a plurality of formats stored contemporaneously with the original version in a memory of the decoder as claimed, reads on Mills at col. 2, lines 18-41.

[claim 3]

A decoder...which the processor is adapted to read and display multiple format versions of an image file stored at that time as claimed, reads on Mills at col. 2, lines 18-41.

[claim 4]

A decoder...in which the processor is adapted to define a plurality of regions in a graphic layer corresponding to a region of the display, each region being defined in part by a location coordinate and by the format version of the image files that are processed by the graphic processor and displayed in this region as claimed, reads on Mills at col. 13, line 10+.

[claim 5]

A decoder...in which the processor is adapted to convert an original image file destined to be displayed in a region into a version corresponding to the format version currently used in that region as claimed, reads on Mills at col. 14, line 65+.

[claim 6]

A decoder...in which the processor is adapted to process images in the graphic layer superimposed over real-time audiovisual digital data and corresponding to one or more layers displayed on the screen beneath the graphic layer as claimed, reads on Mills at col. 13, line 10+.

[claim 7]

A decoder...which the processor is adapted to decompress picture data sent in a compression standard that uses a look-up table as claimed, reads on Mills at col. 2, line 42+, col. 13, line 10+.

[claim 8]

A decoder...in which the processor is adapted to decompress picture data sent in a standard that uses a red/green/blue color value associated with each pixel as claimed, reads on Mills at col. 13, line 10+.

[claim 9]

A decoder...in which the processor is further adapted to directly decompress picture data regardless of its compression format into a image file of a predetermined format as claimed, reads on Mills at col. 2, line 20+.

[claim 10]

A decoder...in which the processor may be further adapted to directly decompress picture data into a format which uses a look-up table as claimed, reads on Mills at col. col. 2, line 42+, col. 13, line 10+.

[claim 11]

A decoder...in which the processor may be further adapted to directly decompress picture data into a format which uses a red/green/blue color value associated with each pixel as claimed, reads on Mills at col. 13, line 10+.

[claim 12]

A decoder...in which the processor comprises a general processor for decompressing digital picture data and a graphic processor for preparing the decompressed data for display as claimed, reads on Mills in Figure 1 and its respective disclosure.

Claim 16 in its entirety is encompassed by claim 1 above, thus the grounds for rejecting claim 1 also apply here. See also col. 2, line 20+.

***Response to Arguments***

6. Applicant's arguments filed 3/16/04 have been fully considered but they are not persuasive. With respect to the newly amended limitation and applicant's argument on

pages 6-9 of the Remarks, column 9 of Mills already discloses the concept of such well known processing based on a capacity (e.g. on the order of 512 Kb) of the memory and the operation of the processor 10.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y. Lee whose telephone number is (703) 308-7584. The examiner can normally be reached on (703) 308-7584.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Y. Lee  
Primary Examiner  
Art Unit 2613

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